

# HOUSE . . . . . No. 2717

---

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin and others relative to further defining establishments subject to the law prohibiting smoking in public places. Public Health.

---

## The Commonwealth of Massachusetts

---

### PETITION OF:

Peter J. Larkin                      Richard T. Moore  
Peter J. Koutoujian

---

In the Year Two Thousand and Five.

---

AN ACT TO ALLEVIATE THE COMPETITIVE ADVANTAGE OF MEMBERSHIP ASSOCIATIONS RELATIVE TO THE STATE-WIDE SMOKING BAN.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1     Section 22 of chapter 270 of the General Laws, as amended by  
2     section 2 of Chapter 137 of the Acts of 2004, is hereby further  
3     amended, in the definition of “membership association”, by  
4     striking out the last sentence and inserting in place thereof, the  
5     following:— Except for a religious place of worship or instruc-  
6     tion, an entity shall not be a membership association for the pur-  
7     poses of this definition, unless individual membership, containing  
8     not less than full membership costs, benefits and responsibilities,  
9     is required for all members of the association for a period of not  
10    less than 90 days. A membership association is not a membership  
11    association if the facilities, including but not limited to, meal and  
12    beverage services, are utilized by non-members.